

Remarks

Claims 1-23 are pending in this application. Claim 22 has been amended. The Examiner rejected claim 22 under 35 U.S.C. 112 as being indefinite. The Examiner has rejected claims 1-22 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,017,054 to Shuckle et al, hereinafter Shuckle.

1. Rejections under 35 U.S.C. 112

The Examiner has rejected claim 22 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended dependent claim 22 to correct this indefiniteness. Applicants have amended claim 22 such that it correctly depends from independent claim 21. Applicants respectfully request the withdrawal of the rejection of claim 22.

2. Rejections under 35 U.S.C. 102(e)

The Examiner has rejected claims 1-23 as being anticipated by Shuckle. A prior art patent, publication or event is for the same “invention,” as that word is used in §102, and therefore anticipating, if the prior art patent, publication or event discloses each and every limitation found in the claims, either expressly or inherently. *Rockwell Intern. Corp. v. U.S.*, 147 F.3d 1358, 1363 (Fed. Cir. 1998); *Electro Med. Sys. S.A. v. Cooper Life Sciences*, 34 F.3d 1048, 1052 (Fed. Cir. 1994). Each claim limitation must be found in a single prior art reference; references cannot be combined under §102. *Apple Computer, Inc. v. Articulate Systems, Inc.*, 234 F.3d 14, 20 (Fed. Cir. 2000). Omission of any claimed element, no matter how insubstantial, is grounds for traversing a rejection based on §102. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542 (Fed. Cir. 1983).

Shuckle fails to disclose each and every limitation found in independent claims 1,

5, 12, 17, and 21. Specifically, Shuckle does not teach the element of a buffer having addresses of **system memory** data modified during the period that the processor is in a **low power** state.

The Examiner points to various passages in Shuckle as teaching this element. In rejecting independent claims 1 and 21, the Examiner points to column 7, lines 1-3 of Shuckle. (Office Action, p.2) However, the cited portion of Shuckle discusses snooping of a memory transaction involving a cache or tag RAM and does not teach a buffer having addresses of system memory data modified during the period that the processor is in a low power state. In rejecting independent claim 5, the Examiner points to column 3, lines 9-10 of Shuckle. (Office Action, p.4) The cited portion of Shuckle discusses a processor **exiting** the **lower power state** when an access to a **modified cache line** occurs. This is not the same as a buffer having addresses of **system memory** data **modified** during the period that the processor is **in a low power state**. In rejecting independent claim 12, the Examiner points to column 10, lines 64-66 of Shuckle. (Office Action, p.6) The cited portion of Shuckle discusses how read operations to a **modified cache line** would generally require the processor to be woken up, e.g., by **exiting** the **lower power state**, if the **cache line** has been **modified** relative to the value in system memory. This again discusses when a cache line has been modified compared to system memory, which is not the same as a buffer having addresses of data in **system memory modified** during the period that the processor is **in a low power** state. In rejecting independent claim 17, the Examiner points to column 3, lines 6-9 of Shuckle. (Office Action, p.7) However, the cited portion of Shuckle discusses a memory controller performing snoop operations on a copy of the cache tag while the processor is in a lower power state, and the processor **exiting** the **lower power state** when an access to a **modified cache line** occurs. This is not the same as a buffer having addresses of **system memory** data **modified** during the period that the processor is **in a low power state**.


Because Shuckle does not teach all of the elements of the independent claims, Applicants respectfully request that the rejection of independent claims 1, 5, 12, 17, and 21 be withdrawn and contend that these claims are in condition for allowance.

Dependent claims 2-4, 6-11, 13-16, 18-20, and 22-23 will not be individually discussed herein because they stem from otherwise allowable base claims.

Conclusion

Applicants respectfully submit that pending claims 1-23 of the present invention, as amended, are allowable. Applicants respectfully request that the rejection of the pending claims be withdrawn and that these claims be passed to issuance.

Respectfully submitted,



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